



UNITED STATES OF AMERICA

OFFICE OF THE SECRETARY

Issued by the Department of Transportation on April 29, 1998

**NOTICE OF ACTION TAKEN -- DOCKET OST 98-3780**

This serves as notice to the public of the action described below, taken by the Department official indicated (no additional confirming order will be issued in this matter).

Application of **AMERICAN INTERNATIONAL AIRWAYS, INC.**, filed **4/22/98** for:

**XX** Exemption from the 90-day dormancy condition of Order 96-6-12:

By Order 96-6-12 the Department awarded American International Airways 6.5 weekly frequencies to operate all-cargo services between Miami, the intermediate point Bogota, Colombia, and the coterminal points Manaus, Sao Paulo, Recife, and Rio de Janeiro, Brazil. The award was subject to the condition that it will expire automatically and the frequencies will revert to the Department for reallocation if they are not used for a period of 90 days. On April 22, 1998, AIA notified the Department that, while it was continuing to perform once-weekly Miami-Manaus service, it had stopped flying some of its frequencies on January 30 due to aircraft scheduling difficulties; that efforts to resolve these problems were still ongoing; and that the carrier needed an extension of the 90-day period for 2 frequencies which would expire on April 30. Specifically, AIA seeks an exemption from the dormancy provision for these 2 frequencies for 90 days (*i.e.*, through July 29, 1998). AIA further notified the Department that it was relinquishing 3.5 of its allocated frequencies.

Applicant rep: **Mark Atwood (202) 463-2513** DOT Analyst: **Linda Senese (202) 366-2367**

**DISPOSITION**

**XX** *Granted (see below)*

The above action was effective when taken: **April 29, 1998,** through **July 29, 1998.**

**Action taken by: Paul L. Gretch, Director  
Office of International Aviation**

Except to the extent exempted or waived, this authority is subject to the terms, conditions, and limitations indicated:

**XX** **Holder's certificate of public convenience and necessity**

**Remarks:** We acted on this application without awaiting the expiration of the 15-day answer period with the consent of all parties served. As a result of AIA's April 22 filing, 3.5 weekly frequencies are now available for reallocation to the other three U.S. carriers designated to operate all-cargo services in the U.S.-Brazil market.

Under authority assigned by the Department in its regulations, 14 CFR Part 385, we found that (1) immediate action was required and was consistent with Department policy; and (2) grant of the application was consistent with the public interest. To the extent not granted, we denied all requests in the referenced Docket. We may amend, modify, or revoke the authority granted in this Notice at any time without hearing at our discretion.

Persons entitled to petition the Department for review of the action set forth in this Notice under the Department's regulations, 14 CFR §385.30, may file their petitions within ten (10) days after the date of issuance of this Notice. This action was effective when taken, and the filing of a petition for review will not alter such effectiveness.

*An electronic version of this document is available on the World Wide Web at:  
<http://dms.dot.gov/general/orders/aviation.html>.*